

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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ALAN BROWN,	:	Case No. 05 Civ. 11178 (NG)
	:	
Plaintiff,	:	
	:	
-against-	:	DEFENDANTS' MOTION FOR
	:	SUMMARY JUDGMENT
	:	
STATE STREET CORPORATION	:	
and STATE STREET GLOBAL	:	
ADVISORS,	:	
	:	
Defendants.	:	
-----	x	

Defendants, State Street Corporation and State Street Global Advisors (collectively, "Defendants"), respectfully move, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for summary judgment in their favor on all counts of plaintiff's amended complaint (D.E. 35) dated May 26, 2006.

The grounds for this motion are set forth in Defendants' accompanying memorandum of law, their Statement of Undisputed Facts Pursuant to Local Civil Rule 56.1 and the Declaration of Rex Lee, sworn to on September 26, 2006, and the exhibits thereto.

By electronic notification, the Court has scheduled a summary judgment motion hearing on December 7, 2006.

Dated: New York, New York
September 26, 2006

Respectfully submitted,

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By: /s/ Peter Calamari
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CERTIFICATION OF CONSULTATION

Pursuant to Rule 7.1(a)(2) of the Local Rules of this Court, I certify that counsel have attempted to confer in good faith to resolve or narrow the issues presented by this motion but have been unable to do so.

/s/ Rex Lee

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 26, 2006.

/s/ Rex Lee